


Plaintiff has moved for entry of default. While his motion is titled a motion for “entry of default final judgment,” the Court construes it as a motion for entry of default under Federal Rule

of Civil Procedure 55(a). “When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by [the Federal Rules of Civil Procedure] and that fact is made to appear by affidavit or otherwise, the Clerk shall enter the party’s default.” Fed. R. Civ. P. 55(a). Because neither Salt Bar, LLC nor Sean Carey have responded to plaintiff’s complaint within twenty-one days, entry of default is appropriate.

As defendants Salt Bar, LLC and Sean Carey have failed to properly appear and to plead or otherwise defend in this action, the Clerk is DIRECTED to enter a default against both defendants.

SO ORDERED, this 41 day of January, 2019.


TERRENCE W. BOYLE
CHIEF UNITED STATES DISTRICT JUDGE